DETAILED ACTION

1. This action is responsive to the amendment filed 01/22/2008.

   Claims 1-4, 6, 9-10, 12-17, 34-37, 39, 42-43, 45-49, and 66-69 are pending in

   this application. Claims 1, 9, 10, 13-17, 34, 42, 43, and 46-49 have been

   amended. Claims 1 and 34 are independent claims.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

   obviousness rejections set forth in this Office action:

   (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

   This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

   Claims 1-4, 6, 9, 10, 12-17, 34-37, 39, 42, 43, 45-49 and 66-69 are rejected

   under 35 U.S.C. 103(a) as being unpatentable over **Altman et al.** (US

2002/0064308, publication date: 05/30/2002) in view of **Schilit et al.** (US

6687876, filed 12/30/1998).

As to claim 1 and 34:

Altman teaches a method and system, comprising:

- receiving data corresponding to an electronic ink annotation of an

  electronic document [see ¶ ¶ 0043, 0047, 0049, 0071, and 0133, 0101 →

  Electronic ink stroke data … from the memory 18 and from the user

  through the input device 16];

- parsing at least a first portion of a base portion of the electronic document

  [see ¶¶ 0070, 0078-0097 → standard paragraph parsing … for paragraphs

  preceded by bullet characters … parses each line of text in a document];

- creating a first context node associated with the first portion, wherein the

  first context node includes information identified during the parsing of the

  first portion [see ¶¶ 0128 – 0132 → automatically identifying bullet

  characters and creating hanging indents for outlining functions … by

  identifying a bullet character … the distance of the hanging indent for

  subsequent lines of the same paragraph];

- parsing the electronic ink annotation [see ¶¶ 0052; 0054; 0073- 0075;

  0085; 0086; 0133; and see also Figs. 10A, 10B and 10C and associated

  text → Once the strokes have been parsed into lines and words, they are

  divided into paragraphs. The division into paragraphs in pen-based

  computing is very different from keyboard-based systems where the

  paragraphs are specifically noted by carriage returns. The division of

  words into paragraphs also allows for a word wrapping feature common in

  most keyboard-based systems. The process for paragraph parsing begins

  in step 121 where the display is divided into three vertical zones] and

  associating the electronic ink annotation with the first portion [see ¶¶ 0099;

  0131; and 0132 → the strokes associated with the left and right word

  portions is determined by the hot point of the gesture. The hot point of the

  gesture is the starting point from which the stroke forming the gesture

  begins];

- creating a second context node associated with the electronic ink

  annotation, wherein the second context node includes information identified

  during the parsing of the annotation [see ¶¶ 0101, 0103, 0114- 0115, 0117,

  0120, 0133-0134], wherein the annotation includes electronic ink data [see

  ¶¶ 0047, and 0052], and wherein the first context node and the second

  context node are arranged in a single hierarchical data structure

  representing data associated with the electronic document [see ¶¶ 0051 –

0053 and Fig. 3 and associated text → the ink strokes are grouped into or

associated with lines … the ink strokes associated with each line are

grouped into words … the ink strokes can be manipulated with word-

processing type commands … determine which line the strokes should be

associated with … determines one by one whether the strokes should be

grouped together].

Altman, however, does not specifically teach "storing a link associating the

second context node with the first context node."

Schilit teaches storing a link associating the second context node with the first

context node [see col. 5, line 36 – col. 6, lines 12 - 63;col. 7, line 48 – col. 8, line

63; Figs. 3A, 3B and the associated text].

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify Altman with Schilit because it would have provided

the capability for indicating of the logical relationships between freeform digital

ink annotations and objects in a view as the view of the annotated objects

changes.

As to claims 2 and 35:

Altman teaches the first context node includes a member selected from, among

other things, a paragraph node [see ¶¶ 0086-0089 → a bullet paragraph].

As to claims 3 and 36:

Altman teaches the first context node includes a member selected from, among

other things, a paragraph node [see ¶¶ 0086-0089 → a bullet paragraph].

As to claims 4 and 37:

Altman teaches the second context node is selected from, among other things, a

paragraph node [see ¶¶ 0086-0089 → a bullet paragraph].

As to claims 6 and 39:

Altman teaches the base portion includes electronic text [see ¶ ¶ 0085-0096 →

text in a document].

As to claims 9 and 42:

Altman teaches prior to parsing the electronic ink annotation, the annotation

includes unclassified ink node [see ¶ ¶ 0046- 0050 → processing ink stroke

representations to identify possible ASCII equivalents ... the user entering an

ink stroke with the input device 16 ... to identify the order in which strokes are

input into the system … the system 10 proceeds to step 58 to determine

whether any of the strokes entered are global gesture].

As to claims 10 and 43:

Altman teaches rendering the first portion and the electronic ink annotation

(e.g., retrieving the strokes/words) [see ¶ ¶ 0073-0075], wherein the electronic

ink annotation is located at a first position with respect to the first portion [see ¶

¶ 0104, 0108, 0111-0112, and 0116-0119]; changing data associated with the

first portion such that a location associated with the first context node changes

to a second position; and rendering the electronic ink annotation and the first

portion with the changed data, wherein the electronic ink annotation is

rendered at a third position with respect to the <u>first</u> portion at least in part

based on the second position of the first context node [see ¶¶ 0046-0048,

0051, 0010, 0104, 0109, and 0121].

As to claims 12 and 45:

Altman teaches the first context node and the second context node share at

least one common parent node (e.g., the ink strokes associated with each line

are grouped into words … the words are grouped into paragraphs) [see ¶¶

0050 – 0052, 0055, and 0016].

As to claims 13 and 46:

Altman teaches data associated with the first context node and the second

context node enable the electronic document to be rendered such that the

electronic ink annotation contains the first portion of the base document [see

¶¶ 0058, 0060, 0070-0073, 0098-0100, 0107-0108, 0106].

As to claims 16 and 49:

Altman teaches data associated with the first context node and the second

context node enable the electronic document to be rendered such that a first

region of the electronic ink annotation points between a second region of the

electronic ink_annotation and the first portion of the base document [see ¶¶

0050, 0053-0055, 0058- 0060, and 0072-0074].

As to claim 17:

Altman teaches the use of a computer-readable medium [e.g., memory 18, see

fig.1].

As to claims 14 and 47:

Altman teaches data associated with the first context node and the second

context node enable the electronic document to be rendered [see ¶¶ 0058,

0060, 0070-0073, 0098-0100, 0107-0108, 0106].

Altman does not specifically teach the electronic ink annotation underlines the

first portion of the base document.

Schilit teaches the electronic ink annotation underlines the first portion of the

base document (e.g., underlines) [col. 7, lines 14-67 and col.9, lines 1 and 8].

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify Altman with Schilit because it would have

provided a unique interface that allows the user to quickly and easily identify

any ink stroke representations that are processed by the drawing layer.

As to claims 15 and 48:

Altman teaches data associated with the first context node and the second

context node enable the electronic document to be rendered [see ¶¶ 0058,

0060, 0070-0073, 0098-0100, 0107-0108, 0106].

Altman does not specifically teach the electronic ink annotation strikes out the

first portion of the base document.

Schilit teaches the use of strikes out the electronic ink annotation strikes out the

first portion of the base document [col. 7, lines 14- 67 and col.9, lines 1 and 8 →

cross-outs].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Altman with Schilit because it would have provided a unique interface that allows the user to quickly and easily identify any ink stroke representations that are processed by the drawing layer.

As to claims 66 and 67:

Altman teaches the first portion corresponds to one or more words of typewritten text in the electronic document [see ¶ 0043 → handwritten text], and wherein the annotation is an electronic ink annotation of the one or more words of typewritten text [see ¶ ¶ 0011; 0117; 0118; and 0127].

As to claims 68 and 69:

Altman teaches the first portion corresponds to one or more words of typewritten text in the electronic document [see ¶ 0043 → handwritten text], and wherein the annotation is an electronic ink annotation of the electronic ink drawing [see ¶ ¶ 0011; 0117; 0118; and 0127].

Response to Arguments

3.   Applicant's arguments filed 01/22/2008 have been fully considered but they are

not persuasive.

Applicant argues that Altman does not teach "annotations" and "parsing an

electronic ink annotation" [page 10].

The Examiner disagrees. Altman's teaching "the highlighting is an attribute

applied to text allowing the highlighting to move with the text as it is copied or

word wrapped drawing areas" [see the Abstract; see ¶ ¶ 0011; 0117; 0118; and

0127] is interpreted as "annotation". Altman also teaches parsing an electronic

ink annotation [parsing the ink strokes in the writing layer to determine which line

the strokes should be associated with; see ¶ 0052 and 0070].

Applicant further argues that Altman does not teach the first context node and

the second context node are arranged in a single hierarchical data structure

representing data associated with the electronic document [page 11].

The examiner disagrees. Altman's teachings "the ink strokes are grouped into or

associated with lines in step 61. A line operates just as a normal writing line on a

ruled sheet or paper, and is defined to be the area between two displayed lines

drawn by the system 10 on the screen 34. Then, the ink strokes associated with

each line are grouped into words in step 62. Next in step 63, the words are

grouped into paragraphs. Once the ink strokes have been properly grouped, they

are stored in the writing layer in step 64" [see ¶¶ 0051 – 0053] covers the

claimed limitation.

Conclusion

4.   The prior art made of record, listed on PTO 892 provided to Applicant is

considered to have relevancy to the claimed invention. Applicant should review

each identified reference carefully before responding to this office action to

properly advance the case in light of the prior art.

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed

within TWO MONTHS of the mailing date of this final action and the advisory

action is not mailed until after the end of the THREE-MONTH shortened statutory

period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will

the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Contact information

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Maikhanh Nguyen whose telephone number is

(571) 272-4093. The examiner can normally be reached on Monday - Friday from

9:00am – 5:30 pm. If attempts to reach the examiner by telephone are

unsuccessful, the examiner's supervisor, Doug Hutton can be reached at (571)

272-4137.

The fax phone number for the organization where this application or proceeding

is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For more

information about the PAIR system, see http://pair-direct.uspto.gov. Should you have

questions on access to the Private PAIR system, contact the Electronic Business Center

(EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer

Service Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

/M. N./

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